

### **7 – 3 SUMMARY OF ENVIROCARE OVERSIGHT BY THE DEQ DIVISION OF RADIATION CONTROL**

#### **Oversight staff**

The low-level waste section of the Division of Radiation Control consists of a staff of qualified professionals who conduct inspections of site operations and enforce the Envirocare Radioactive Materials License, Groundwater Quality Discharge Permit, and Generator Site Access Permits. This staff includes 2 hydrogeologists, 2 professional engineers, 3 health physicists, a transportation specialist, a program coordinator, and a section manager.

#### **Generator Site Access Permit/Inspection Program**

Requires generators to obtain an annual permit from the Division for site access based on compliance with transportation requirements. Shipments arrive either by rail or by truck and all shipments to Envirocare are subject to inspection. Items checked during a typical GSAP inspection are manifest information, marking, labeling, placarding, packaging, radiation levels, contamination, and load bracing. Transportation specialists were checking shipments over 100 days during the last year.

#### **Routine Facility Inspection Program**

Required annual inspection of facility operations, divided in modular inspections (engineering, health physics, groundwater) - 23 modular inspections/year - inspections last from 1-5 days focused on a particular area. The modules include Groundwater (waste handling facilities, compliance monitoring locations, evaporation ponds, wash facilities, waste management practices, waste water management); Engineering (berm and site safety, clay liner, waste placement, debris in CLSM pours, radon barrier, filter zone/sacrificial soil/rock barrier, test pads, winter/frozen materials); and Health Physics (waste characterization, special nuclear material, waste management practices, environmental monitoring program, general radiation safety, waste characterization, dosimetry, posting/access control, site security)

#### **Special Investigations Program**

Inspections as a result of an allegation, lawsuit, licensee-reported non-compliance, or other request (could be civil or criminal investigation). These investigations may be enforcement confidential

#### **Enforcement Activities: Facility and Generators**

Other inspection activities as a result of routine or special investigations, enforcement documents such as Notices of Violation and Orders will be prepared and sent to Envirocare and/or generators. Envirocare and generators, as a result, must respond to each violation and provide corrective actions. Civil penalties may be applied. Each enforcement action must be successfully closed out. All enforcement actions are appealable to the Radiation Control Board.

### Other Facility Inspection Activities

Other inspection activities can include observation of facility operations, modifications to facility operations, or new operations (e.g., engineering test pads), review of reports (semi-annual groundwater monitoring reports from 60 wells with up to 38 analytes per well), annual environmental monitoring data, climatological reports, inspection and approval of all liner and radon barrier, annual review of closure cost estimates and surety, approval of large components for disposal, etc.)

The Division's low-level waste regulatory program is evaluated on a periodic basis by the Nuclear Regulatory Commission. An evaluation team comprised of NRC representatives from throughout the United States and a state representative from a state radiation control program spend a week evaluating the program. The program is evaluated for the technical quality of licensing and inspection activities, response to allegations and incidents, status of the inspection program (e.g. inspection frequency, overdue inspections), technical staffing and training, rulemaking (to assess if rules are up to date and equivalent to the same federal rules), and legislation (are the necessary statutes in place). Some DRC staff are accompanied on inspections by evaluation team staff to assess inspection performance in the field. The low-level program in conjunction with the radioactive materials program was last evaluated during October 1998. The program was found to be satisfactory in all aspects. The next evaluation is scheduled for June 23-27, 2003. Programs that are performing at a satisfactory level and above are required to be evaluated every four years.

### Licensing Program

Envirocare submits minor and major modification requests to their radioactive materials license and groundwater discharge permit on a regular basis. Licensing decisions are appealable to the Radiation Control Board. Envirocare's radioactive material license and groundwater discharge permit are subject to a 5-year review/renewal term.

Envirocare is required by license/permit to conduct certain activities such as pre-qualification of waste with appropriate sampling, random sampling subject to fingerprint and gamma spectroscopy analysis upon receipt, engineering quality assurance/control inspection, conduct groundwater monitoring, conduct environmental monitoring, have adequate financial assurance, radiation safety monitoring of the environment and employees, etc.

Other licensing (permitting), inspection and enforcement activities are conducted by the DEQ Division of Solid and Hazardous Waste (for mixed wastes), and the Nuclear Regulatory Commission (for uranium mill tailings).

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